

REMARKS

Examiner Novosad has rejected claim 26 of the present application. For the reasons which follow, applicants respectfully traverse this rejection of the Examiner. The applicant does, however, wish to extend appreciation to Examiner Novosad for the quite detailed review of the claims of the present invention leading to the finding of patentable subject matter of the originally filed claims of the present application and an indication that claims 1-18, 22-25, 31 and 32 are allowed and that claims 27-30 would be allowable if rewritten.

Claim 27 has been amended to overcome the rejection under 35 U.S.C. § 112. Favorable reconsideration is respectfully requested.

Claim 27 has been also rewritten in independent form. It is respectfully submitted that claim 27 and claims 28-30 which depend therefrom are in condition for allowance for the reasons previously recognized by Examiner Novosad. Favorable consideration is respectfully requested.

Although fastener 35 could be removed in Ackerman, it is respectfully submitted that a person skilled in the art would not consider the handlebar 34 to be removably connected to the members 14 in a working position and in a storage position as recited in claim 26 as originally filed. However, in a spirit of conciliation and to advance prosecution of this application, claim 26 has been amended to further define the present invention in a manner to prevent the imaginative reading of claim 26. Thus, it is respectfully submitted that the rejection of claim 26 has been overcome. Such favorable action is respectfully requested.

As previously discussed by telephone, it is respectfully requested that Examiner Novosad initiate a telephonic interview with the undersigned if there are any obstacles to the allowance of this application.

By the lack of application of the references previously cited by the Examiner and the applicants and others like them within the classes or subclasses searched, the Examiner apparently recognizes the clear patentability of the present invention over any of these references.

Therefore, since the claims of the present application have been shown to include limitations directed to the features of applicant's simple, durable and easy-to-use earthworking

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machine which are neither shown, described, taught, nor alluded to in any of the references cited by the Examiner and by the applicants, whether those references are taken singly or in any combination, the Examiner is requested to allow claims 1-18 and 22-32 as amended of the present application and to pass this application to issue.

Respectfully submitted,

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